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Satoru Horita

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GREENBLUM & BERNSTEIN, P.L.C.
1950 ROLAND CLARKE PLACE
RESTON, VA 20191

EXAMINER

PETERSON, CHRISTOPHER K

ART UNIT

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NOTIFICATION DATE

DELIVERY MODE

07/10/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com
pto@gbpatent.com

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 5/27/2008 have been fully considered but they are not persuasive.

First in regard to claims 1, 13, and 14, the Applicant argues that Edgar (US Patent Pub. # 2002/0176113) reference does not teach the limitation of “the first luminance data and the color difference data are not low-pass filtered” (See Remarks, Pg. 4). The Examiner respectfully disagrees. Specifically, noting the Edgar reference, Fig. 8a and Para 69. Edgar teaches a wrinkle reduction process (800). The wrinkle reduction process splits the original image (A) into three parts. The second luminance signal is the signal that connects to the blurring algorithm (802), which creates a dynamic image mask B. Edgar teaches multiple methods of creating the dynamic image mask B. One of the methods is using a calculated luminance value of image mask B to calculate the blurring and edge parameters (Para 34). The dynamic image mask B is connected to the low pass filter. Thus the only signal that is passes through the low pass filter is a calculated luminance value (second luminance value) of image mask B. The first luminance and color difference data are passed through the high pass filter (806) and added together to create a median mask (808). The median mask (808) is combined with the original image (A) to create the enhanced image (soft focus image). For this reason, the Examiner believes that the Edgar reference does teach the limitation of claims 1, 13, and 14.

Secondly in regard to claims 1, 13, and 14, the Applicant argues that Edgar reference does not teach the limitation of “comprises a soft focus image in which the color balance of the original image data is preserved (See Remarks, Pg. 4 and 5). Examiner respectfully disagrees. As stated above the color balance will be preserved, because only a luminance signal is processed through the low pass filter (804) (Para 34). For this reason, the Examiner believes that the Edgar reference does teach the limitation of claims 1, 13, and 14.

Thirdly in regard to claims 1, 13, and 14, the Applicant argues that “a goal of EDGAR is to improve image detail in a digital image such as to reduce the visible effects of age of the person in the image without sacrificing the minute details of the image and without “apparent blurring or softening of the details”. This directly contradicts the explicit recitations of Applicant's claim 1” (See Remarks, Pg. 6- 7). Examiner respectfully disagrees. Edgar teaches the wrinkle reduction process (800) reduces the viable affects of age of the person in the image, without sacrificing the minute detail of the image and without apparent blurring or softening of the details. This creates a more pleasing image to the eye and most importantly, more pleasing to the person in the picture (Para 70). Examiner believes that the wrinkle reduction process (800) does soften the image by smoothing out the sharp edges within the image, but does not smooth out the sharp edges to where the image is blurred. Applicant’s specification defines the soft focus picture is a slightly blurred picture, and a flare appears on this picture. But the contours of the object appear clear in this picture. Therefore, the characteristics of the object are sufficiently clear in the soft focus picture

(Para 4 of Applicant's Spec.). Therefore Examiner believes that both the Applicant's and Edgar's definition of "soft focus" are the same. For this reason, the Examiner believes that the Edgar reference does teach the limitation of claims 1, 13, and 14.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER K. PETERSON whose telephone number is (571)270-1704. The examiner can normally be reached on Monday - Friday 6:30 - 4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CKP
30 June 2008

***/Ngoc-Yen T. VU/
Supervisory Patent Examiner, Art Unit 2622***